

**UTILITY ADVISORY COMMITTEE  
CITY OF FORT LAUDERDALE  
CITY HALL 8<sup>TH</sup> FLOOR CONFERENCE ROOM  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA 33301  
JUNE 28, 2011 – 6:30 P.M.**

Cumulative  
January 2011-  
December 2011

<b>Committee Member</b>	<b>Attendance</b>	<b>Present</b>	<b>Absent</b>
Bunney Brenneman, Chair	P	4	0
Robert Cole, Vice Chair	A	2	2
Maria Canady (arr. 6:39)	P	3	1
L. Thomas Chancey	A	2	2
Deborah Fredericks	P	2	0
Donald Lampasone	A	1	1
Don Larson	P	4	0
Ruchel Louis	A	1	3
Terri Murru	A	1	3
Stephanie Toothaker	A	1	3
Jay Weiss	A	3	1
Dennis West	A	2	1

**Staff**

Hal Barnes, Engineering Design Manager  
Barbara Hartmann, Recording Secretary, Prototype, Inc.

**Guests**

Vic Beninate, AT&T  
Anniken Patino, AT&T  
Cal Deal, Guest  
Raymond Dettman, Guest

**Communications to City Commission**

None.

**I. Call to Order**

Chair Brenneman called the meeting to order at 6:35 p.m.

**II. Roll Call**

Roll was called and it was noted a quorum was not present.

**III. Welcome New Members  
Self-Introductions**

The Committee, Staff, and guests introduced themselves. New member Deborah Fredericks is a native of Fort Lauderdale who has moved back to the City.

**IV. Administrative Re-vote on Minutes Required**

As a quorum was not present, the re-vote could not be held.

**V. Minutes of February 22, 2011 Meeting  
Minutes of May 24, 2011 Meeting**

- Update & Discussion
- Approval

As a quorum was not present, the minutes could not be approved.

**VI. Continuing Business**

- Update on AT&T Boxes

Ms. Canady arrived at 6:39 p.m.

Mr. Beninate recalled at the previous meeting, the Committee had discussed the placement of boxes and landscaping around them. AT&T was unhappy with the installation and maintenance of plants by the original contractors and had contracted with a new landscaper shortly before the May UAC meeting. Since that time, several dead plants and other existing plants have been changed out, and Mr. Beninate felt an overall better job was being done. He asked that anyone who saw a need for additional landscaping contact him and the issue would be addressed. He asserted that AT&T is committed to making the City look good.

Cal Deal, guest, noted that the Committee has spent a great deal of time on this issue but there have not been great results. He did not believe that AT&T was "willing to create a presentable box," and felt the City should encourage AT&T to come up with a better design rather than camouflage the boxes with landscaping. He added that he did not feel residents should have to report dead plants in the vicinity of boxes, and that the City should be able to request "neighborhood-compatible boxes."

He continued that as the boxes are placed in more and more neighborhoods, some areas have no green space in which to place them. Mr. Deal suggested that the City could develop a web page with pertinent information, such as the Ordinance regulating the boxes' appearance, what is required of AT&T, and

contact numbers. He stated that the current system, in which individuals are advised to contact AT&T directly, prevents the City from monitoring issues as they arise. He advocated action from the City Commission to require the utility to develop and maintain better landscaping.

Ms. Fredericks asked if landscaping is the only issue. Mr. Deal said AT&T should design boxes that are more attractive and neighborhood-compatible.

Mr. Beninate explained that AT&T has retained a professional landscaping company to install and maintain landscaping "at least every 60 days." If issues arise in the interim, they are addressed within a matter of days. He added that installation of the boxes is nearly complete in and around Fort Lauderdale.

He explained the process of placing boxes, which includes getting a permit from the City and installation of electric cable by Florida Power & Light (FPL) before landscaping can be added aboveground. Mr. Beninate concluded that AT&T will continue to work with individuals to improve the boxes' appearance but cannot address all issues immediately. He stated that it is not correct to assert that the company does not care and does not adhere to the Ordinance.

Chair Brenneman added that AT&T has been actively working with the Committee to address this issue, and thanked Mr. Beninate for the company's cooperation.

Raymond Dettman, guest, also stated that AT&T has not done their job since the installation of the boxes began. He agreed with Mr. Deal that the better answer is to make the boxes look more presentable instead of hiding them with landscaping. He also did not feel individuals should have to contact AT&T to seek improvements, and stated that "the Ordinance is not up to standard."

Chair Brenneman noted that AT&T is being held to a standard that did not make sense to her. She explained that one of the approved plantings is the silver buttonwood tree, which can be easily seen through and will not disguise the boxes.

Mr. Beninate added that not all the boxes in question belong to AT&T: some belong to Comcast or other utilities. Other boxes pictured belong to AT&T but are unrelated to the uVerse program and have been in place for several years.

Mr. Deal said he was aware that not all the boxes pictured belonged to AT&T, but they were shown to illustrate the point that when an Ordinance is not enacted to require landscaping, no landscaping will be done. He reiterated that the City would have "ugly boxes" near its offices and homes unless they demanded something better. He cited an example in which only one side of the boxes are

camouflaged with landscaping, while the backs of the boxes were still visible to homes on a canal.

Chair Brenneman explained that the doors of the boxes cannot be blocked by landscaping. Mr. Deal said the landscaping also blocked the view of oncoming traffic in certain locations.

Chair Brenneman recalled that at the May meeting, Assistant City Attorney Dunckel and Mr. Barnes had worked together on a suggestion that these issues could be addressed at internal meetings. Mr. Barnes added that the Committee had requested that this be a standing topic at the monthly utility coordinating meeting, which is attended by City Staff and several utility companies. The topic was discussed for the first time at the June meeting and will continue to be addressed at future meetings.

Mr. Deal asked if it was possible for residents to receive a quarterly report showing when each site is inspected by AT&T's contractor. Chair Brenneman said Attorney Dunckel and Mr. Barnes have been working closely with AT&T and will provide updates on the process. She reiterated that upkeep of landscaping will be a standing topic at the coordinating meetings.

Mr. Larson advised that AT&T's boxes must be of a certain size to accommodate all the equipment placed inside them. He said the boxes are now in place and AT&T should be given sufficient time to address their shortcomings; if they did not do so within a reasonable amount of time, residents would have a right to be angry. He asked Mr. Deal how he might have designed the boxes differently himself, noting that in the future it might be possible to suggest an alternate design or shield the boxes more effectively.

Mr. Deal noted that some boxes at specific locations that have been painted with designs to improve their appearance. He felt this would make it easier to blend the boxes in with the surrounding landscaping than using "institutional beige." Mr. Beninate explained that the uVerse boxes, in particular, house computers inside them and can absorb the heat if they are painted. Ms. Patino confirmed that the box painted with a design does not have any computer equipment inside it, and has been at that particular location for several years.

Mr. Beninate stated that the older boxes in particular are not aesthetically appealing, but there is no easy solution to the issue. He repeated that most of the boxes have been in place for several years, and only approximately "100 of them are the new boxes."

Mr. Deal asserted that the newer boxes are being located in very visible places, and referred to a site where there is a collection of old and new boxes. Mr.

Beninate noted that this location houses one uVerse box along with others that belong to various different utilities and have been in place for several years.

Mr. Deal said the old boxes as well as the maintenance of the new ones showed that AT&T's attitude was "they don't care." He said the Committee should work to ensure the landscaping is maintained on a regular basis. Mr. Beninate stated that he would ensure the issue is addressed.

Mr. Dettman said the various boxes affect the City's appearance, and the situation should be improved upon. He asked if other cities have offered solutions for better boxes to AT&T. Mr. Beninate said when the boxes had first been placed in the City, their placement had led to months of negotiation and eventually arrived at the use of smaller boxes; however, he pointed out that the equipment could only be made so small at the present time, although smaller electronics will probably be possible in the future. He added that once residents began using the services provided through the boxes, there have been fewer complaints about their placement.

Chair Brenneman recalled that in 2007, AT&T brought engineering and marketing teams to a City Commission meeting to discuss the design and technology of the boxes. One consideration at that time was the heat factor, which affected the color, size, and adequate ventilation of the boxes. She stated that underground facilities are also used to disseminate the technology over a certain distance. She said the technology that has been rolled out in 2010-11 consists of what was available in 2007.

Mr. Dettman said he felt AT&T had considered the size necessary to fit their technology, while his own consideration was for aesthetic design. Chair Brenneman said the Committee was concerned about the aesthetics as well as the technology, and had given a great deal of input on the issue.

Mr. Deal said another issue was the size of the letters on the boxes, which were also "unattractive," as they were intended to be read from a distance. He reiterated that he hoped they could address the issue of sufficient landscaping, and added that in the future perhaps AT&T could offer a different design for their boxes. He said he did not have an alternative design in mind to offer as a solution.

Chair Brenneman asked Mr. Deal and Mr. Dettman if they would like to add anything else to the discussion or offer any suggestions. Mr. Deal said again that he felt AT&T should have no objection to providing written reports on when the landscaping is being maintained at particular locations. He also believed the City Commission could advise AT&T that they are not satisfied with how the maintenance has been done thus far. He provided the Committee members with his web address on this topic, [www.fortlauderdaleobserver.com/att](http://www.fortlauderdaleobserver.com/att).

Ms. Patino asserted that AT&T is committed to the maintenance project, and while the size of the equipment could not be addressed at this time, they would see that the landscaping of all sites is regularly inspected and maintained.

Mr. Deal said he did not believe there was "wide notification" of a given neighborhood when boxes are to be installed; he added that he did not have to live in close proximity to one of the boxes in order to be affected by their appearance. He felt notification should be given to every resident within a 300 ft. radius so they can provide input on whether or not a location is appropriate. Chair Brenneman explained that while AT&T has to file for a permit for a specific location, the decisions made in the field are often very good ones, and the utility is often willing to move a box in one direction or another.

Mr. Dettman suggested that the City ask the Development Review Committee (DRC) to notify the appropriate neighborhood associations when AT&T applies for a permit. Mr. Beninate said AT&T would follow the Ordinance as it exists on the books, as the project is almost complete; he felt the suggestions offered were intended "to re-do the rules." He estimated that only 20 to 30 boxes have yet to be installed as part of the uVerse project, and said AT&T would live up to its obligation to install and maintain landscaping. They could not address the boxes that were in place prior to the Ordinance, or those installed by other utilities.

Mr. Deal said his goal was to have the boxes placed where they would be "not as bad" and less obstructive to residents' views. He stated he felt Mr. Beninate's approach to the issue was illustrative of the problem as he saw it. Mr. Beninate said the approach was to follow the Ordinance, pointing out that many of the boxes have been moved in response to residents' issues. He advised that this discussion shifted the issue from the landscaping around boxes to the boxes themselves, and pointed out that the utility has done a better job accommodating residents' wishes regarding box location than in maintaining the landscaping.

Mr. Deal advised that he had offered additional suggestions that could be found on his website.

- **Status Windmills & Turbines**

Chair Brenneman advised that the Committee's communication to the City Commission from the May 2011 meeting was sent "as a backup" to the June 7 City Commission meeting. Mr. Barnes clarified that the communication to the City Commission supported the use of wind turbines at the Hilton appeared on the June 7 Commission agenda, and explained that he is responsible for overseeing the Committee's budget and could not justify the additional cost of expediting this item. The Hilton gave its presentation to the Citizens Sustainability Advisory Board at their June 27 meeting, where it was also unanimously approved and

recommended to the City Commission. A general discussion on wind turbines has been proposed for the July 6 City Commission meeting, although it has not yet been confirmed on the Agenda. He encouraged the UAC members to attend this discussion if it is "locked in" to the Commission's Agenda.

Chair Brenneman recalled that one suggestion made at the May meeting was to "get [the turbines] off the ground" in front of the Hilton; these turbines were raised off the ground level in later plans.

Mr. Larson observed that he had not voted in favor of recommending the Hilton's design for two reasons: he did not feel the City had had sufficient time to research the issue, and was concerned with how many turbines might be placed on a particular property. He reiterated that the City should research this issue further before approving the project and decide how many devices are allowed on a property, as he felt this decision could ultimately apply to residential areas as well.

Mr. Barnes clarified that this was a site-specific item, planned only for the Hilton; the Committee did not give "blanket approval" of wind turbines for the beach area, and only addressed the use of the devices within a commercial area.

Chair Brenneman reiterated that the Committee's recommendation was specific to this site only, "almost as a test," to determine how the devices would work in a commercial setting. She commented that there was not sufficient wind in the City to generate much electricity; the Hilton did not expect to significantly lower their energy bill, but intended the project to serve as a use of green technology. She also noted that the turbines' designers asserted that the devices were not dangerous to birds.

- **Update Solar & Alternative Energy**

Chair Brenneman noted that FPL representative Lynn Shatas was not available to make this presentation due to a prior commitment. She will communicate with Ms. Shatas to determine if this Item can appear on the Committee's July Agenda.

- **Other Continuing Business**

Mr. Barnes said at the May UAC meeting, the Committee had requested that the topic of replacing utility poles also be added as a standing item for the monthly utility coordinating meeting. He advised that this item will be discussed by that committee on a monthly basis, and he will provide specific updates to the UAC as the year progresses.

Chair Brenneman asked Mr. Beninate to update the Committee on this Item. Mr. Beninate explained that all the utilities have joined together in hiring an outside

contractor to inspect the poles, regardless of the individual poles' owner. He advised that FPL must make the first transfer of lines from an old pole to a new one, followed by Comcast and then by AT&T. He also reported that he had seen a list of vacated poles that are being removed from the ground.

**VII. New Business**

None.

**VIII. Good of the Committee**

Mr. Larson cautioned the Committee members that criminals are sometimes able to "re-trip" the lock of a car that has been locked with an electronic "clicker" device, and can gain entry to a car in this way. He advised that individuals manually lock their cars from the driver's side door, as this lock cannot be re-tripped electronically.

Mr. Barnes offered to scan a handout on this topic provided by Mr. Larson, and email it to the Committee. Chair Brenneman advised that this had happened to her recently at a shopping mall.

**IX. Communications to City Commission**

None.

**X. Announcements:**

**Tuesday, July 26, 2011, Next UAC Regular Meeting**

Chair Brenneman stated that she would ask members to communicate whether or not they can or cannot attend meetings, and she would notify the members by the Thursday prior to the meeting date of whether or not a quorum would be present. She cautioned members not to use the "reply all" function when responding to her email, as this would violate the Sunshine Law.

Mr. Barnes requested that the email be sent out by the Committee's secretary rather than by the Chair, as this keeps Staff advised of what is going on and avoids the possibility of conflict with the Sunshine Law.

**XI. Adjournment**

There being no further business to come before the Committee at this time, the meeting was adjourned at 8:15 p.m.